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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement submitted by the International League for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 January 1999]

Belarus: call for appointment of a special rapporteur

1. The International League for Human Rights, a non-governmental organization now in its fifty-eighth year, is gravely concerned about the continuing deterioration of civil, political, economic and social rights in Belarus in the past year. The Human Rights Committee, in examining Belarus in 1998, found that the former republic of the Soviet Union was deteriorating towards a "Soviet-style police State".

2. At the fifty-fourth session of the Commission on Human Rights, the Special Rapporteur on the right to freedom of opinion and expression (Mr. Abid Hussain) reported on his mission in 1997 to the Republic of Belarus (E/CN.4/1998/40/Add.1), concluding that suppression of the media and freedom of information under President Alexander Lukashenko was widespread, with severe consequences for human rights and the rule of law.

3. At the fiftieth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, a resolution was passed on Belarus condemning the wholesale repression of freedom of expression and the excessive powers seized by the executive branch of government to the detriment of the promotion and protection of human rights.

4. The Belarusian leadership has not complied with any of the recommendations made by the Special Rapporteur or the Sub-Commission or any other intergovernmental bodies such as the European Union regarding removal of censorship and end to the persecution of journalists, permission for the free distribution of information, and the protection of the rights of journalists, lawyers, human rights advocates and parliamentarians. In the time since the Special Rapporteur's mission, a law has been passed providing for up to five years of imprisonment for speech or writings vaguely defined as "insulting the President". Recently, the President threatened with prosecution for "anti-constitutional" activity those independent newspapers which critically discussed the constitutional crisis. In July 1999, the President's term under the legitimate 1994 Constitution will expire; in November 1996 the President rewrote the Constitution to extend his term unlawfully (despite a Constitutional Court ruling) and is likely to avoid, or manipulate local and national elections this year through suppression of the media.

5. The jailing and fining of demonstrators, including workers who protest about the deterioration of wages and the standard of living, continue unabated. Vera Stremkovskaya, a civil rights attorney who has defended the most politically-sensitive cases of former officials and parliamentarians, has been threatened repeatedly with disbarment for her statements at home and abroad about the miscarriage of justice. At least three other attorneys have been disbarred for their defence of clients facing politically-motivated charges.

6. The Organization for Security and Co-operation in Europe (OSCE) Advisory and Monitoring Group (AMG) has recorded numerous instances of detentions and beatings of demonstrators and other activists, some of them minors, and has visited some political prisoners in detention, but has been unable to secure their release or even review of their cases.

7. The League calls for the appointment of a United Nations special rapporteur on Belarus in order to examine thoroughly the full range of rights, including freedom of speech and assembly, but also to examine the continuing effects on public health of the consequences of the Chernobyl disaster and the failure to provide adequate public information on AIDS; the impact on economic and social rights of the curbing of labour movements and the ban on the sale of farm products abroad; the consequences for women's rights of the failure to provide protection against domestic violence and opportunities for education and professional advancement; and the effect on cultural rights of the discouragement of the use of the native Belarusian language.

8. Frequently in the United Nations context there are calls to leave such situations as Belarus to regional institutions like the OSCE. And yet the League must conclude that after nearly a year of work by the AMG, the Government of Belarus has still failed to comply with its recommendations; nor has progress been made towards legitimizing the institutions of civil society, such as the independent media and the 13th Supreme Soviet (the disbanded parliament). Regional actors have a number of reasons for being unable, or unwilling, to act on Belarus. Dozens of regional ambassadors were expelled in the past year over a trumped-up housing crisis and few have returned. With its impending membership in the North Atlantic Treaty Organization (NATO), Poland, a neighbour, has been placed in a difficult situation vis-à-vis Russia, another neighbour, which is now rapidly extending its influence throughout Belarus. Russia, which has failed to act definitively to prevent further worsening of the human rights situation in Belarus, has in fact strengthened the forces for dictatorship in its recent moves further to merge the two nations. The resurgence of communist and fascist movements in both Belarus and Russia, not discouraged by their leaders, poses a threat to the security and human rights of Europe as a whole.

9. Therefore, it is imperative that the United Nations, the world body of which the Republic of Belarus was among the founders, act promptly to bring to bear on this intractable situation an impartial mechanism that may be able to provide alleviation to the victims of human rights violations.